

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/699,992
Inventor: Randall T. Webber
Filed: November 3, 2003
Title: SHOULDER PRESS
EXERCISE MACHINE

Art Unit: 3764
Examiner: Victor Kenny Hwang

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Owner, Hoist Fitness Systems, owning a 100% interest in the captioned application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the captioned application that would extend beyond the expiration date of the full statutory term (as defined in 35 U.S.C §§ 154 to 156 and 173) of any patent granted on pending reference application no. 10/633,805, filed on August 4, 2003. In accordance with 37 CFR 1.321(c)(3), the owner hereby agrees that any patent granted on the captioned application shall be enforceable only for and during such period that it and any patent granted on application no 10/633,805 are commonly owned with, and is binding upon the grantee, its successors or assigns.

Owner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any patent granted on pending reference application no. 10/633,805, filed on August 4, 2003, in the event that any patent granted on application no. 10/633,805 expires for failure to pay a maintenance fee; is held unenforceable; is

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found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.32(a); has all claims canceled by a reexamination certificate; or is otherwise terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant, except for the separation of legal title stated above.

I am agent of record and am authorized to make this disclaimer on behalf of the Owner.

Respectfully submitted,

Dated: January 17, 2007

By: Katherine Proctor
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